

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL CASE NO. 3:07cr238

UNITED STATES OF AMERICA,

vs.

WEALTHY MICHAEL EANES.

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ORDER

THIS MATTER is before the Court *sua sponte* to continue the case.

On October 23, 2007, the Defendant was charged in a bill of indictment with being a felon in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g)(1). A warrant was issued for the Defendant's arrest. On December 3, 2007, the Defendant appeared before the United States District Court for the Southern District of West Virginia pursuant to his arrest on the warrant. On December 5, 2007, the United States District Court for the Southern District of West Virginia entered an Order committing the Defendant to this District. On January 3, 2008, the Defendant appeared in this District for an initial appearance, arraignment, and detention hearing, at which time counsel was appointed.

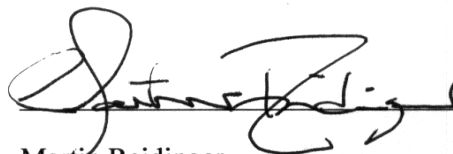
At this hearing, the Defendant's case was placed on the February 11, 2008 calendar for trial.

The Court finds that this case should be continued. If the case remained on the February 11, 2008 term, counsel would not have an adequate opportunity to prepare for trial, taking into account the exercise of due diligence. The Court therefore finds that a failure to grant the continuance "would unreasonably deny the defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." 18 U.S.C. § 3161(h)(8)(B)(iv).

For the reasons stated herein, the ends of justice served by the granting of the continuance outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

IT IS, THEREFORE, ORDERED that the above-captioned case is **CONTINUED** from the February 11, 2008 term in the Charlotte Division.

Signed: January 7, 2008


Martin Reidinger
United States District Judge

